

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 24, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone #06032

PROPOSAL: Amend Lincoln Municipal Code Section 27.69.300 to allow occupants in areas designated blighted and substandard which are being redeveloped pursuant to an approved Redevelopment Plan to petition for the creation of a special sign district.

CONCLUSION: There may be circumstances when the creation of a sign district to define an area pursuant to an approved redevelopment plan is desired and appropriate. This amendment provides that opportunity. An application for the creation of a special sign district is processed the same as a change of zone and requires approval by the City Council.

RECOMMENDATION:

Approval

ANALYSIS:

1. LMC Section 27.69.300 provides the creation of special sign districts under specifically defined circumstances. Those include for the purpose of defining an area of particular historical, ethnic, cultural, or entertainment atmosphere, or for defining an area with a special or unique theme. Additionally, in any nonresidential district designated by the City Council as a landmark district in accordance with Section 27.57.120, the Planning Director may petition the City Council to create a special sign district.
2. This request amends LMC Section 27.69.300(a) to include "an area in which the City has undertaken a program for the redevelopment of blighted and substandard areas pursuant to an approved Redevelopment Plan" as an area eligible for the creation of a special sign district.
3. A sign district is not a use by-right, and the creation of one is not assured. A special sign district is treated the same as a change of zone application, and after a public hearing by the Planning Commission, it is forwarded to the City Council for action.
4. A special sign district can be characterized as an overlay district, and the sign regulations can be made more or less restrictive than those of the underlying zoning district for the area covered. Once approved, all signs within the boundary of the district are subject to its requirements.

5. Examples of existing special sign districts include the Haymarket, the Downtown Theater District, and the Haymarket Park ballfields.
6. The proposed language of the text amendment is attached.

Prepared by:

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Mat 10, 2006

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ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.69.300 of the Lincoln Municipal Code
2 relating to Special Sign Districts to allow occupants in areas designated blighted and substandard
3 which is being redeveloped pursuant to an approved Redevelopment Plan to petition for the creation
4 of a special sign district; and repealing Section 27.69.300 of the Lincoln Municipal Code as hitherto
5 existing.

6 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

7 Section 1. That Section 27.69.300 of the Lincoln Municipal Code be amended to read
8 as follows:

9 **27.69.300 Other Permitted Signs; Nonresidential; Special Sign District.**

10 (a) In any nonresidential district, occupants of sixty percent or more of the street frontage
11 of any block face may petition the City Council for the formation of a special sign district for the
12 purpose of defining an area of particular historical, ethnic, cultural, or entertainment atmosphere; or
13 for defining an area with a special or unique theme; or for defining an area in which the City has
14 undertaken a program for the redevelopment of blighted and substandard areas pursuant to an
15 approved Redevelopment Plan. Said merchants shall present proposed sign criteria to the City
16 Council according to the procedure established for a zoning amendment. Such petition shall include
17 specific sign regulations for the special sign district which may be more or less restrictive than the
18 underlying district.

19 (b) In any nonresidential district designated by the City Council as a landmark district
20 in accordance with Section 27.57.120, the Planning Director may petition the City Council to create
21 a special sign district. Such petition shall include specific sign regulations for the district which may
22 be more or less restrictive than the underlying zoning district. A special sign district shall not be
23 designated if written protests are made by the record owners of over fifty percent of the included

1 properties, excluding public right-of-way, at or prior to the public hearing by the City Council on the
2 designation.

3 Before designating an area within a nonresidential landmark district as a special sign district
4 and adopting specific sign regulations for such district, the City Council shall refer the petition to
5 the Historic Preservation Commission. The Historic Preservation Commission shall hold a public
6 hearing on such petition, and thereafter shall make its recommendation regarding approval, dis-
7 approval, or modification of the petition, and the proposed sign regulations. The petition shall then
8 be transmitted to the Planning Commission. The Planning Commission shall consider the petition
9 at a public hearing and thereafter shall make a report to the City Council recommending approval,
10 disapproval, or modification of the petition and the proposed sign regulations.

11 After receiving the recommendation and report of the Historic Preservation Commission and
12 the Planning Commission, the City Council shall proceed to give final consideration to the petition
13 and the proposed sign regulations.

14 Section 2. That Section 27.69.300 of the Lincoln Municipal Code as hitherto existing
15 be and the same is hereby repealed.

16 Section 3. That this ordinance shall take effect and be in force from and after its
17 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2006:

Mayor